

REMARKS

Claims 9-24 are pending in the present application. To expedite prosecution and clarify the subject matter of the present invention, Applicants hereby amend claims 1, 5, 9, 14, 15, 19, 20 and 24. No new matter has been entered.

It is respectfully submitted that this Amendment is fully responsive to the Office Action dated September 29, 2006.

Claim Rejections – 35 U.S.C. §102

Claims 9-24 were rejected under 35 U.S.C. §102(a) as anticipated by Applicant's disclosed prior art (hereafter 'APA').

Anticipation requires the disclosure in a single prior art reference of each and EVERY element of the claimed invention, arranged as in the claim. However, the APA does NOT disclose the subject matter described in the amended claims (*e.g., the laser module can be operated within the predetermined temperature range and the predetermined power intensity range even when the laser module does not have the optimum power intensity.*) See amended claims 1, 5, 9, 14, 19, and 24. Instead, as acknowledged by the Examiner on page 2 of the Office Action, "the [APA] ceases operation and marks the diode for replacement outside of the defined range, while the instant invention appears to continue operation with a functional diode."

Accordingly, Applicants respectfully submit that the rejection of claims 9-24 be withdrawn because the APA fails to disclose every element of the claimed invention.

Application No. 10/614,277
Attorney Docket No. 030824

Amendment under 37 C.F.R. §1.116
Amendment Filed: December 28, 2006

Conclusion

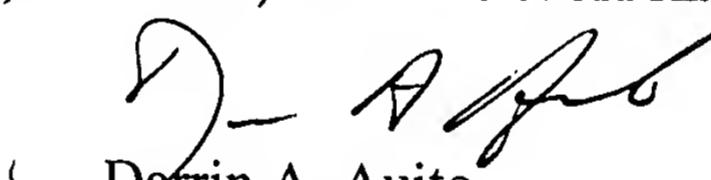
In view of the aforementioned amendments and accompanying remarks, Applicants submit that the claims, as herein amended, are in condition for allowance. Applicants request such action at an early date.

If the Examiner believes that this application is not now in condition for allowance, the Examiner is requested to contact Applicants' undersigned attorney to arrange for an interview to expedite the disposition of this case.

If this paper is not timely filed, Applicants respectfully petition for an appropriate extension of time. The fees for such an extension or any other fees that may be due with respect to this paper may be charged to Deposit Account No. 50-2866.

Respectfully submitted,

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